

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOSEPH MURPHY, et al,

Plaintiffs,

v.

ALLIED WORLD ASSURANCE
COMPANY (U.S.), INC. and ARCH
INSURANCE COMPANY,

Defendants

No. 08-CIV-4196 (GEL)

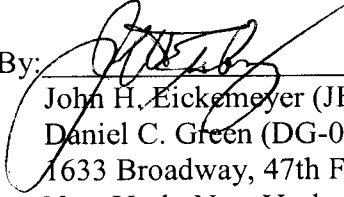
NOTICE OF MOTION FOR PRO HAC VICE ADMISSION

PLEASE TAKE NOTICE that upon the attached Declaration of John H. Eickemeyer, dated June 27, 2008, and the certificates of good standing and declarations of Cara Tseng Duffield, Marc E. Rindner and Daniel J. Standish annexed thereto, defendant Arch Insurance Company ("Arch") will move this Court, on July 28, 2008 for an order pursuant to Local Civil Rule 1.3(c) of the United States District Court for the Southern District of New York, to admit Cara Tseng Duffield, Marc E. Rindner and Daniel J. Standish to act as attorneys *pro hac vice* on behalf of Arch solely for purposes of this litigation.

Dated: New York, New York
June 27, 2008

Respectfully submitted,

VEDDER PRICE P.C.

By: 
John H. Eickemeyer (JE-8302)
Daniel C. Green (DG-0059)
1633 Broadway, 47th Floor
New York, New York 10019
(212) 407-7700

*Attorneys for Defendant
Arch Insurance Company*

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOSEPH MURPHY, et al,

Plaintiffs,

v.

**ALLIED WORLD ASSURANCE
COMPANY (U.S.), INC. and ARCH
INSURANCE COMPANY,**

Defendants

No. 08-CIV-4196 (GEL)

DECLARATION OF JOHN H. EICKEMEYER

JOHN H. EICKEMEYER hereby declares under penalties of perjury pursuant to 28 U.S.C. §1746 as follows:

1. I am a partner of the firm Vedder Price P.C., attorneys of record for defendant Arch Insurance Company ("Arch"). I make this affidavit in support of the applications of Cara Tseng Duffield, Marc E. Rindner and Daniel J. Standish to act as attorneys *pro hac vice* for Arch solely for purposes of this litigation.

2. I am a member in good standing of the bar of the State of New York, to which I was admitted to practice in May 1981. I am also admitted to the bar of the United States District Court for the Southern District of New York in April 1984, and am in good standing with this Court.

3. Cara Tseng Duffield ("Ms. Duffield") is a member of the bar of the District of Columbia and an associate of the firm of Wiley Rein LLP in Washington, D.C. A Declaration

by Ms. Duffield in support of her admission *pro hac vice*, and a certificate attesting to her good standing issued by the District of Columbia Court of Appeals, are annexed at Exhibit A hereto.

4. Marc E. Rindner ("Mr. Rindner") is a member of the bar of the District of Columbia and a partner of the firm of Wiley Rein LLP in Washington, D.C. A Declaration by Mr. Rindner in support of his admission *pro hac vice*, and a certificate attesting to his good standing issued by the District of Columbia Court of Appeals, are annexed at Exhibit B hereto.

5. Daniel J. Standish ("Mr. Standish") is a member of the bar of the District of Columbia and a partner of the firm of Wiley Rein LLP in Washington, D.C. A Declaration by Mr. Standish in support of his admission *pro hac vice*, and a certificate attesting to his good standing issued by the District of Columbia Court of Appeals, are annexed at Exhibit C hereto.

6. Wiley Rein LLP acts as regular outside counsel for Arch. Ms. Duffield, Mr. Rindner and Mr. Standish have been working with me and other attorneys for Arch in the preparation of this litigation and are fully familiar with the proceedings herein.

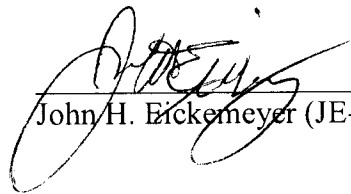
7. I have found Ms. Duffield, Mr. Rindner and Mr. Standish to be skilled attorneys and persons of integrity. They are experienced in Federal practice and are familiar with the Federal Rules of Civil Procedure.

8. I respectfully request that Ms. Duffield, Mr. Rindner and Mr. Standish be admitted *pro hac vice* so that they may appear in this case from time to time, and submit a proposed order granting their admission *pro hac vice*, annexed as Exhibit D hereto.

9. No previous motion for this relief has been made to this court (Ms. Duffield, Mr. Rindner and Mr. Standish were previously granted *pro hac* admission in New York State Supreme Court, New York County, prior to this action's removal).

10. I declare under penalties of perjury that the foregoing is true and correct.

Dated: June 27, 2008



John H. Eickemeyer (JE-8302)

**UNITED STATES DISTRICT COURT
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**ALLIED WORLD ASSURANCE
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INSURANCE COMPANY,**

Defendants

No. 08-CIV-4196 (GEL)

**DECLARATION OF CARA TSENG DUFFIELD IN SUPPORT OF DEFENDANT
ARCH INSURANCE COMPANY'S MOTION FOR ADMISSION *PRO HAC VICE***

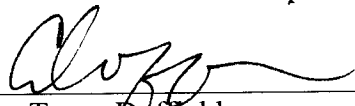
Cara Tseng Duffield declares as follows:

1. I am an attorney at the law firm of Wiley Rein LLP.
2. I submit this declaration in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Bar of the District of Columbia.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. Wherefore your declarant respectfully submits that she be permitted to appear as counsel and advocate *pro hac vice* in this one case.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on June 25, 2008.

Respectfully submitted,

By:



Cara Tseng Duffield
D.C. Bar No. 478916
WILEY REIN, LLP
1776 K St., N.W.
Washington, D.C. 20006
cduffield@wileyrein.com
Telephone: (202) 719-7000
Facsimile: (202) 719-7049

*Counsel for Defendant Arch
Insurance Company*



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

CARA T. DUFFIELD

was on the 13TH day of SEPTEMBER, 2002
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on June
19, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

JOSEPH MURPHY, et al,

Plaintiffs,

v.

No. 08-CIV-4196 (GEL)

**ALLIED WORLD ASSURANCE
COMPANY (U.S.), INC. and ARCH
INSURANCE COMPANY,**

Defendants

**DECLARATION OF MARC E. RINDER IN SUPPORT OF DEFENDANT ARCH
INSURANCE COMPANY'S MOTION FOR ADMISSION *PRO HAC VICE***

MARC E. RINDNER declares as follows:

1. I am a partner of the law firm of Wiley Rein LLP.
2. I submit this declaration in support of my motion for admission to practice *pro se* in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Bar of the District of Columbia.
4. There are no pending disciplinary proceedings against me in any State or Federal court.
5. Wherefore your declarant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on
June 25, 2008.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read 'Marc E. Rindner', written over a horizontal line.

Marc E. Rindner
D.C. Bar No. 461250
WILEY REIN, LLP
1776 K St., N.W.
Washington, D.C. 20006
mrindner@wileyrein.com
Telephone: (202) 719-7000
Facsimile: (202) 719-7049

*Counsel for Defendant Arch
Insurance Company*



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARC E. RINDNER

was on the 16TH day of DECEMBER, 1998

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

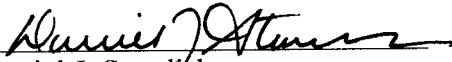
In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on June 19, 2008.

GARLAND PINKSTON, JR., CLERK

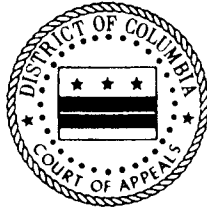
By: M. Charles
Deputy Clerk

I declare under penalty of perjury that the foregoing is true and correct. Executed on
June 25, 2008.

Respectfully submitted,

By: 
Daniel J. Standish
D.C. Bar No. 414194
WILEY REIN, LLP
1776 K St., N.W.
Washington, D.C. 20006
dstandish@wileyrein.com
Telephone: (202) 719-7000
Facsimile: (202) 719-7049

*Counsel for Defendant Arch
Insurance Company*



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

DANIEL J. STANDISH

was on the 24TH day of JUNE, 1988
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on June
19, 2008.

GARLAND PINKSTON, JR., CLERK

By: M. Charles
Deputy Clerk

**UNITED STATES DISTRICT COURT
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Defendants

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**(PROPOSED) ORDER OF ADMISSION
PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of John H. Eickemeyer, attorney for defendant Arch Insurance Company, said sponsor attorney's declaration in support, and the declarations of Cara Tseng Duffield, Marc E. Rindner and Daniel J. Standish;

IT IS HEREBY ORDERED that:

Cara Tseng Duffield,
Marc E. Rindner and
Daniel J. Standish
Wiley Rein LLP
1776 K St NW
Washington, D.C. 20006
Telephone Number: (202) 719-7000
Fax Number: (202) 719-7049

are admitted to practice *pro hac vice* as counsel for defendant Arch Insurance Company in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. Because this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for

an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of the Court.

Dated: _____, 2008
New York, New York

Hon. Gerard E. Lynch
United States District Judge

**UNITED STATES DISTRICT COURT
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INSURANCE COMPANY,**

Defendants

No. 08-CIV-4196 (GEL)

CERTIFICATE OF SERVICE

I, Daniel C. Green, hereby declare, pursuant to 28 U.S.C. 1746, under penalties of perjury, as follows:

1. On June 27, 2008, I caused copies of the foregoing **NOTICE OF MOTION** and **DECLARATION OF JOHN H. EICKEMEYER** with annexed Exhibits to be served upon all parties to the above-captioned action by depositing true copies of same into the custody of the United States Postal Service, addressed to their counsel as follows:

and by email

Defendant(s)	Counsel
Agoglia, John D. McCarthy, Peter J.	William Fleming, Esq. Gage Spencer & Fleming, LLP 410 Park Avenue New York, NY 10022 (212) 768-4900 wffleming@gagespencer.com
Breitman, Leo R. Gantcher, Nathan Harkins, David V. Jaekel, Scott L. Lee, Thomas H. O'Kelley, Ronald L. Schoen, Scott A.	Paul A. Ferrillo, Esq. Weil Gotshal & Manges LLP 767 Fifth Avenue New York, NY 10153 (212) 310-8372 Paul.ferrillo@weil.com

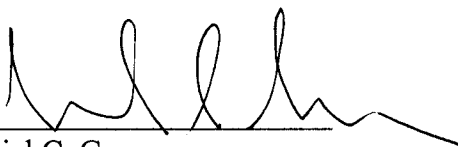
Dhillon, Sukhmeet Lipoff, Eric	Neil A. Goteiner, Esq. Farella, Braun & Martel 235 Montgomery Street, 30 th Floor San Francisco, CA 94104 (415) 954-4485 ngoteiner@fbm.com
Dittmer, Thomas H.	Thomas C. Wolford, Esq. Neal Gerber & Eisenberg, LLP 2 North LaSalle Street Chicago, IL 60602 (312) 269-5675 Twolford@ngelaw.com
Grady, Stephen	Lawrence J. Kotler, Esq. Duane Morris & Heckscher, LLP 30 South 17 th Street Philadelphia, PA 19103 (215) 979-1514 ljkotler@duanemorris.com
Grant, Tone	William A. Schreiner, Jr., Esq. Zuckerman Spaeder LLP 1800 M Street, NW, Suite 1000 Washington, D.C. 20036 (202) 778-1858 wschreiner@zuckerman.com
Grant, Tone	Laura E. Neish, Esq. Zuckerman Spaeder LLP 1540 Broadway, Suite 1604 New York, NY 10036 (212) 704-9600 lneish@zuckerman.com
Klejna, Dennis	Helen Kim, Esq. Katten Muchin Rosenman, LLP 2029 Century Park East, Suite 2600 Los Angeles, CA 90067 (310) 788-4525 Helen.kim@kattenlaw.com

Mutterer, Frank	Janet Costello, Esq. Gibbons, P.C. One Gateway Center Newark, NJ 07102 973-596-4825 jcostello@gibbonslaw.com
Murphy, Joseph	John R. Jerome, Esq. Saul Ewing, LLP 245 Park Avenue 24th Floor New York, NY 10167 jjerome@saul.com
Outridge, Richard N.	Claire P. Gutekunst Proskauer Rose, LLP 1585 Broadway New York, NY 10036 (212) 969-3421 cgutekunst@proskauer.com
Sexton, William M. Sherer, Gerald	Ivan Kline, Esq. Friedman & Wittenstein, P.C. 600 Lexington Avenue New York, NY 10022 (212) 750-8700 ikline@friedmanwittenstein.com
Silverman, Philip	Richard Cashman, Esq. Heller Ehrman, LLP Times Square Tower 7 Times Square New York, NY 10036 (212) 847-8796 Richard.cashman@hellerehrman.com

Trosten, Robert C.	Barbara Moses, Esq. Morvillo, Abramowitz, Grand, Iason & Silberberg, PC 565 Fifth Avenue New York, NY 10017 (212) 880-9540 bmoses@magislaw.com
Allied World Assurance Company (U.S.), Inc.	Robert W. DiUbaldo, Esq. Edwards Angell Palmer & Dodge LLP 750 Lexington Avenue, 10th Floor New York, New York 10022 RDiubaldo@eapdlaw.com

2. On June 27, 2008, I caused a copy of the foregoing **NOTICE OF MOTION** and **DECLARATION OF JOHN H. EICKEMEYER** with annexed Exhibits to be served by U.S. mail upon Richard N. Outridge at 24 Pennbrook Drive, Lincoln University, Pennsylvania 19352.

DATED: June 27, 2008



Daniel C. Green